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4002/009

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I hereby certify that this document and the documents referred to herein as attached are being transmitted via  
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*Rhonda Dunn*

Rhonda Dunn

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Allamanche, et al. )      Examiner: Unassigned  
Serial No. 09/914,371 )      Art Unit: Unassigned  
Filed: August 21, 2001 )      Attorney Docket: SCHO0064  
For: Device and Method for Producing An Encoded )  
Audio and/or Video Data Stream )

April 20, 2004

RESPONSE TO DECISION ON PETITION UNDER 37 CFR 1.47(a)

Mail Stop PCT  
Commissioner for Patents  
Office of PCT Legal Administration  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Application respectfully responds to the Decision On Petition Under 37 CFR 1.47(a)  
dated 20 Feb. 2004 by providing the enclosed documents herewith:

- Original Oath and Declaration (4 sheets); and
- Copy of Decision on Petition Under 37 CFR 1.47(a) (2 pages)

Commissioner is authorized to charge any fees that may be due and credit any  
overpayments to Deposit Account to Deposit Account No. 07-1445 (Order No. SCHO0064).  
A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

*Michael A. Glenn*  
Michael A. Glenn  
Reg. No. 30,176

Customer No. 22862

20 FEB 2004

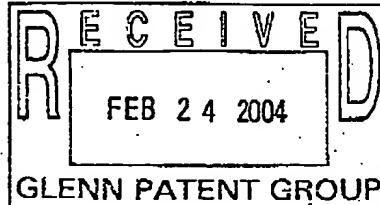


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GLENN PATENT GROUP  
 3475 Edison Way, Ste L,  
 Menlo Park, CA 94025



In re Application of  
 Allamanche et al  
 PCT No.: PCT/EP99/09978  
 Application No: 09/914,371  
 Int. Filing Date: 15 December 1999  
 Priority Date: 24 February 1999  
 Attorney's Docket No.: SCHO0064  
 For: Device and Method for Producing  
 An Encoded Audio and/or Video data Stream

COMMUNIUTION

This application is before the PCT Legal Office for consideration of matters under 35 U.S.C. 371.

**BACKGROUND**

In a decision from this Office on 11 September 2003, the petition under 37 CFR 1.47(a) filed on 24 July 2003 was moot since the declaration submitted was signed by all the inventors. However, the declaration of the inventors was not accepted because it was improperly altered.

On 12 December 2003, applicants' filed a "RESPONSE TO DECISION ON PETITION UNDER 37 CFR 1.47(a)," which included a copy of the original declaration and second declaration that included the signature of Niels Rump. However, the second declaration is improper because both sides of the declaration are written. 37 CFR §1.52(a), states that papers that are to become part of permanent Patent and Trademark Office records... (iii) written on only one side in portrait orientation. Accordingly, the second submitted declaration (written on both sides) needs to be separate into two pages written on one side only.

**CONCLUSION**

For the reasons above, the application may not enter into national stage processing at this time.

A proper response to this communication is a new declaration, which must be filed within TWO (2) MONTHS from the mail date of this communication. Failure to respond will result in the abandonment of the application. Extensions of time are available under 37 CFR 1.136(a).

**DOCKETED**

By: \_\_\_\_\_  
 Date: 2/26/04

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4005/009

Application No.: 09/914,371

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Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Rafael Bacares  
PCT Legal Examiner  
PCT Legal Office  
Tel: (703) 308-6312  
Fax: (703) 308-6459

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Serial Number: 09/914,371

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Attorney Docket: SCHO0064

Date



Signature

Rhonda Dunn

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TO: Office of PCT Legal Administration  
Fax: 703-872-9306  
RE: Serial Number: 09/914,371

Attached are the following documents:

1. Response to Decision on Petition (1 sheet, in duplicate for accounting purposes);
2. Copy of Decision on Petition Under 37 CFR 1.47(a) (2 pages); and
3. Original Oath and Declaration (4 sheets)

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.